

SUBCOMMITTEE:

HOUSE BILL NO. 2231

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety

on _____)

(Patron Prior to Substitute--Delegate Gilbert)

A BILL to amend the Code of Virginia by adding in Chapter 24 of Title 2.2 an article numbered 29, consisting of sections numbered 2.2-2499.1 and 2.2-2499.2, and by adding in Chapter 1 of Title 9.1 an article numbered 17, consisting of sections numbered 9.1-194 through 9.1-198, relating to group violence intervention programs.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 24 of Title 2.2 an article numbered 29, consisting of sections numbered 2.2-2499.1 and 2.2-2499.2, and by adding in Chapter 1 of Title 9.1 an article numbered 17, consisting of sections numbered 9.1-194 through 9.1-198, as follows:

Article 29.Group Violence Intervention Board.

§ 2.2-2499.1. Group Violence Intervention Board; purpose; membership; terms; compensation and expenses; staff.

A. The Group Violence Intervention Board (the Board) is established as a policy board, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Board is to coordinate and assist in federal, state, and local group violence intervention efforts.

B. The Board shall consist of six nonlegislative citizen members appointed as follows: one member to be appointed by the Speaker of the House of Delegates; one member to be appointed by the Senate Committee on Rules; and three members to be appointed by the Governor and subject to confirmation by the General Assembly, of whom one shall be appointed upon consideration of a list of three persons provided to the Governor by the Virginia Sheriffs' Association, if any, and one shall be appointed upon consideration of a list of three persons provided to the Governor by the Virginia Association of Chiefs of

Police, if any, and the Superintendent of the Virginia State Police or his designee. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth.

The United States Attorney for the Eastern District of Virginia and the United States Attorney for the Western District of Virginia, or their designees, may be requested by the Board to serve as ex officio members with nonvoting privileges.

C. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. No nonlegislative citizen member shall serve more than two consecutive four-year terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

D. The Board shall elect a chairman and vice-chairman and may elect such other officers as the Board deems proper from among its membership. The Board shall meet quarterly or upon the call of the chairman. A majority of the members of the Board shall constitute a quorum.

E. Any decision of the Board shall require an affirmative vote of a majority of the members of the Board.

F. Members shall receive compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Criminal Justice Services.

G. The Department of Criminal Justice Services shall provide staff support to the Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

§ 2.2-2499.2. Powers and duties of the Board.

The Board shall have the power and duty to:

1. Apply for, receive, and issue grants from the federal Project Safe Neighborhoods Block Grant Program, P.L. 115-185 (2018);

54 2. Establish guidelines for the issuance of grants from the Project Ceasefire Grant Fund pursuant
55 to § 9.1-197 and the Project Exit Grant Fund pursuant to § 9.1-198;

56 3. Establish a liaison with federal law-enforcement authorities for the purposes of sharing
57 information and coordinating group violence intervention efforts being undertaken at the federal, state,
58 and local level;

59 4. Submit an annual report to the Governor and the General Assembly for publication as a report
60 document as provided in the procedures of the Division of Legislative Automated Systems for the
61 processing of legislative documents and reports. The chairman of the Board shall submit to the Governor
62 and the General Assembly an annual executive summary of the interim activity and work of the Board no
63 later than the first day of each regular session of the General Assembly. The executive summary shall be
64 submitted for publication as a report document as provided in the procedures of the Division of Legislative
65 Automated Systems for the processing of legislative documents and reports and shall be posted on the
66 General Assembly's website; and

67 5. Perform such other acts as may be necessary for the effective performance of its duties.

68 Article 17.

69 Division of Group Violence Intervention.

70 **§ 9.1-194. "Group violence intervention" defined.**

71 As used in this article, "group violence intervention" means comprehensive community-based
72 initiatives, substantially similar to Operation Ceasefire as implemented in Boston, Massachusetts, and
73 documented by the National Institute of Justice, that are carried out by a partnership consisting of members
74 of law enforcement, community members, and social services providers and that are designed to reduce
75 street group-involved violence and homicide, minimize harm to communities by replacing enforcement
76 with deterrence where possible, and foster stronger relationships between members of law enforcement
77 and the communities they serve.

78 **§ 9.1-195. Division of Group Violence Intervention; Executive Director; duties.**

79 A. The Division of Group Violence Intervention (the Division) is hereby established within the
80 Department.

B. The Division shall be headed by an Executive Director who shall be appointed by and serve at the pleasure of the Director of the Department. The Executive Director shall have the following general powers:

1. To employ personnel and assistance necessary for the operation of the Division and the purposes of this article;

2. To make and enter into all contracts and agreements necessary or incidental to the performance of the duties of the Division and the execution of its powers under this article, including contracts with the United States, other states, and agencies and governmental subdivisions of the Commonwealth;

3. To accept grants from the United States government and agencies and instrumentalities thereof and any other source. To these ends, the Division shall have the power to comply with such conditions and execute such agreements as may be necessary, convenient, or desirable; and

4. To do all acts necessary or convenient to carry out the purposes of this article.

C. The Executive Director shall employ at least one research analyst with expertise in group violence intervention.

§ 9.1-196. Powers and duties.

The Division shall have the following powers and duties:

1. Organize, supervise, and perform functions consistent with this article;

2. Coordinate the efforts of state and local law-enforcement agencies, community members, and social services providers to combat group violence;

3. Serve as a clearinghouse for research, best practices, and strategies that may be utilized in the implementation, execution, and evaluation of group violence interventions;

4. Implement Project Safe Neighborhoods grant programs authorized by the Group Violence Intervention Board pursuant to § 2.2-2499.2;

5. Administer the Project Ceasefire Grant Fund pursuant to § 9.1-197;

6. Administer the Project Exit Grant Fund pursuant to § 9.1-198; and

7. Perform such other acts as may be necessary for the effective performance of its duties.

§ 9.1-197. Project Ceasefire Grant Fund.

108 A. There is hereby created in the state treasury a special nonreverting fund to be known as the
109 Project Ceasefire Grant Fund, referred to in this section as "the Fund." The Fund shall be established on
110 the books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from
111 any other sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest
112 earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in
113 the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but
114 shall remain in the Fund. Expenditures and disbursements from the Fund shall be made by the State
115 Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of
116 the Division.

117 B. Moneys in the Fund shall be used solely for the purposes of awarding grants on a competitive
118 basis to organizations such as state and local law-enforcement agencies, local attorneys for the
119 Commonwealth, localities, social services providers, and nonprofit organizations that are engaged in
120 group violence intervention efforts that are substantially similar to Operation Ceasefire as implemented in
121 Boston, Massachusetts, and documented by the National Institute of Justice.

122 C. The Division shall establish an application process and criteria for awarding grants from the
123 Fund, including procedures for determining the amount of a grant.

124 D. No more than 90 percent of moneys in the Fund shall be awarded or allocated in any fiscal year.

125 **§ 9.1-198. Project Exit Grant Fund.**

126 A. There is hereby created in the state treasury a special nonreverting fund to be known as the
127 Project Exit Grant Fund, referred to in this section as "the Fund." The Fund shall be established on the
128 books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any
129 other sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest
130 earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in
131 the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but
132 shall remain in the Fund. Expenditures and disbursements from the Fund shall be made by the State
133 Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of
134 the Division.

B. Moneys in the Fund shall be used solely for the purposes of awarding grants to localities, social services providers, or nonprofit organizations that assist former gang members or individuals attempting to leave gangs with mentoring services, employment opportunities, job training, educational opportunities such as GED classes or vocational training, housing assistance, tattoo removal, or any other services approved by the Division.

C. The Division shall establish an application process and criteria for awarding grants from the Fund, including procedures for determining the amount of a grant.

D. No more than 90 percent of moneys in the Fund shall be awarded or allocated in any fiscal year.

2. That the initial appointments of nonlegislative citizen members to the Group Violence Intervention Board shall be staggered as follows: one member appointed by the Speaker of the House of Delegates and one member appointed by the Governor for a term of two years; one member appointed by the Senate Committee on Rules and one member appointed by the Governor for a term of three years; and one member appointed by the Governor for a term of four years.

3. That the Group Violence Intervention Board shall take whatever actions necessary to obtain certification as the sole fiscal agent of the Commonwealth of Virginia for the U.S. Department of Justice's Project Safe Neighborhoods Block Grant Program and its successors.

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